

LOUISIANA STATE
BOARD OF MEDICAL EXAMINERS

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In The Matter of
JOSEPH D. BEASLEY, M.D.
* * * * *

FINAL DECISION

A formal hearing was convened before the Louisiana State Board of Medical Examiners (Board) on March 9, 1978, to adjudicate alleged, specified violations of the Louisiana Medical Practice Act by Joseph D. Beasley, M.D. (Dr. Beasley), to-wit: "[c]onviction of a crime . . .," LSA-R.S. 37:1285(1), and "[m]aking or submitting false or deceptive claims to any . . . governmental authority for the purpose of obtaining monetary compensation for services rendered," LSA-R.S. 37:1285(11).

Originally scheduled for August 14, 1975, the hearing was successively continued on motion of Dr. Beasley's counsel pending judicial appeal of the physician's federal criminal conviction. By written notice of December 2, 1977, the hearing was rescheduled for December 9, 1977, but was again continued on the physician's motion. The hearing was ultimately

renoticed for and convened on March 9, 1978. The entire Board was present. Dr. Beasley was present and was represented by Arthur A. Lemann, III, Esq., a member of the Bar of the State of Louisiana.

On motion of the Board's counsel, Thomas J. Wyllie, Esq., the charge pertaining to violation of LSA-R.S. 37:1285(11) was dismissed and no evidence was presented or considered relative thereto. Dr. Beasley, through counsel, moved the Board for a further continuance of the hearing to await judicial disposition of a pending collateral attack upon the subject criminal conviction. Upon consideration in executive session, the motion was denied.

After receiving and considering the documentary evidence, the sworn statement of Dr. Beasley, and the arguments of his counsel, pursuant to LSA-R.S. 49:958, the Board renders the following Findings of Fact, Conclusions of Law, and Decision.

Findings of Fact

1

On March 17, 1975, Joseph D. Beasley, M.D. was convicted on three counts of a federal grand jury indictment charging him with violation of 18 U.S.C. §§ 2, 287 & 371, pertaining

to the submission of false, fictitious and fraudulent claims to the United States or any department or agency thereof.

2

The United States District Court for the Eastern District of Louisiana rendered Judgment on said conviction on April 23, 1975, sentencing Dr. Beasley to imprisonment for a term of two (2) years on each of the three counts, each term to run concurrently. United States v. Joseph D. Beasley, et al, No. CR 74-149.

3

The Judgment was affirmed by the United States Court of Appeals for the Fifth Circuit on April 8, 1977. The physician's application for Writ of Certiorari was denied by the United States Supreme Court on November 7, 1977.

4

The criminal offenses for which Joseph D. Beasley, M.D. stands convicted and sentenced arose out of and from his practice of medicine in the State of Louisiana and his exercise of the privileges of medical licensure and, because of the nature thereof, have a direct and proximate relation-

ship to his qualification and fitness for practice.

Conclusions of Law

Based on the foregoing Findings of Fact, the Board concludes, as a matter of law, that:

1

Joseph D. Beasley, M.D. has been convicted of a crime and, therefore, just cause exists for action against his license as provided for by LSA-R.S. 37:1285(1).

Decision

Considering the foregoing,

IT IS ORDERED that the license of Joseph D. Beasley, M.D. to practice medicine in the State of Louisiana, as evidenced by Certificate No. 2153, be and the same is hereby SUSPENDED for a period of two (2) years from the date hereof.

New Orleans, Louisiana, this 9th day of March, 1978.

LOUISIANA STATE BOARD OF
MEDICAL EXAMINERS

By: Charles B. Odom, M.D.
CHARLES B. ODOM, M.D.
President